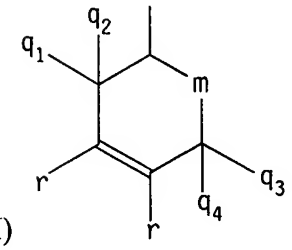
AMENDMENT TO THE CLAIMS

1. (Original) A packaging article, comprising:

an oxygen barrier layer comprising poly(ethylene vinyl alcohol) (EVOH),

an oxygen scavenging layer adjacent to the oxygen barrier layer, wherein the oxygen scavenging layer comprises an oxygen scavenging polymer comprising an ethylenic backbone and a cyclic olefinic pendant group having structure I:



(I)

wherein q_1, q_2, q_3, q_4, and r are independently selected from hydrogen, methyl, or ethyl; m is $-(CH_2)_n-$, wherein n is an integer from 0 to 4, inclusive, and, when r is hydrogen, at least one of q_1, q_2, q_3, and q_4 is also hydrogen; and,

a layer adjacent to the oxygen scavenging layer.

2. (Original) The packaging article of claim 1, wherein the oxygen scavenging polymer further comprises a linking group between the ethylenic backbone and the pendant group, wherein the linking group is selected from:

$-O-(CHR)_n-$; $-(C=O)-O-(CHR)_n-$; $-NH-(CHR)_n-$; $-O-(C=O)-(CHR)_n-$; $-(C=O)-NH-(CHR)_n-$; or $-(C=O)-O-CHOH-CH_2-O-$.

3. (Original) The packaging article of claim 1, further comprising a transition metal salt in the oxygen scavenging layer or a layer adjacent to the oxygen scavenging layer.

4. (Original) The packaging article of claim 3, wherein the transition metal is selected from cobalt, copper, nickel, iron, manganese, rhodium, or ruthenium.

5. (Original) The packaging article of claim 3, wherein the transition metal salt is cobalt oleate, cobalt stearate, or cobalt neodecanoate.

6. (Original) The packaging article of claim 1, further comprising a photoinitiator in the oxygen scavenging layer.

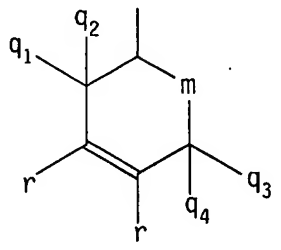
7. (Original) The packaging article of claim 1, further comprising an antioxidant in the oxygen scavenging layer.

8. (Original) The packaging article of claim 7, wherein the antioxidant is selected from 2,6-di(t-butyl)-4-methylphenol(BHT), 2,2'-methylene-bis(6-t-butyl-p-cresol), triphenylphosphite, tris-(nonylphenyl)phosphite, vitamin E, tetra-bismethylene 3-(3,5-ditertbutyl-4-hydroxyphenyl)-propionate methane, or dilaurylthiodipropionate.

9. (Original) The packaging article of claim 1, further comprising an oxygen scavenging layer not adjacent to an EVOH barrier layer.

10. (Original) The packaging article of claim 9, wherein the oxygen scavenging layer not adjacent to the EVOH barrier layer comprises an oxygen scavenging polymer comprising an ethylenic backbone and a cycloalkenyl group with structure I:

(I)



wherein q_1, q_2, q_3, q_4, and r are independently selected from hydrogen, methyl, or ethyl; m is $-(CH_2)_n-$, wherein n is an integer from 0 to 4, inclusive; and, when r is hydrogen, at least one of q_1, q_2, q_3, and q_4 is also hydrogen.

11. (Original) The packaging article of claim 10, wherein the oxygen scavenging polymer of the oxygen scavenging layer not adjacent to the EVOH barrier layer further comprises a linking group between the ethylenic backbone and the pendant group, wherein the linking group is selected from:

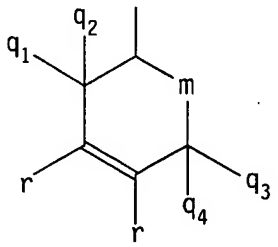
$-O-(CHR)_n-$; $-(C=O)-O-(CHR)_n-$; $-NH-(CHR)_n-$; $-O-(C=O)-(CHR)_n-$; $-(C=O)-NH-(CHR)_n-$; or $-(C=O)-O-CHOH-CH_2-O-$.

12. (Original) The packaging article of claim 1, wherein the packaging article is either flexible or rigid.

13. (Original) A method of forming a packaging article comprising an oxygen barrier layer comprising poly(ethylene vinyl alcohol) (EVOH), an oxygen scavenging layer adjacent to the EVOH oxygen barrier layer, and a layer adjacent to the oxygen scavenging layer, the method comprising:

providing an oxygen barrier composition comprising EVOH;

providing an oxygen scavenging composition comprising a polymer comprising an ethylenic backbone and a cyclic olefinic pendant group having structure I:



(I)

wherein q_1, q_2, q_3, q_4, and r are independently selected from hydrogen, methyl, or ethyl; m is $-(CH_2)_n-$, wherein n is an integer from 0 to 4, inclusive; and, when r is hydrogen, at least one of q_1, q_2, q_3, and q_4 is also hydrogen;

providing a third composition; and

forming the oxygen barrier composition into the EVOH oxygen barrier layer of the packaging article, the oxygen scavenging composition into the oxygen scavenging layer of the packaging article, and the third composition into the layer of the packaging article adjacent to the oxygen scavenging layer.

14. (Original) The method of claim 13, wherein the oxygen scavenging polymer further comprises a linking group between the ethylenic backbone and the pendant group, wherein the linking group is selected from:

$-O-(CHR)_n-$; $-(C=O)-O-(CHR)_n-$; $-NH-(CHR)_n-$; $-O-(C=O)-(CHR)_n-$; $-(C=O)-NH-(CHR)_n-$; or $-(C=O)-O-CHOH-CH_2-O-$.

15. (Original) The method of claim 13, wherein the forming step comprises forming a transition metal salt into the oxygen scavenging layer or a layer adjacent to the oxygen scavenging layer of the packaging article.

16. (Original) The method of claim 13, wherein the oxygen scavenging layer further comprises a photoinitiator.

17. (Original) The method of claim 13, wherein the oxygen scavenging layer further comprises an antioxidant.

18. (Original) The method of claim 13, wherein the forming step further comprises forming an oxygen scavenging layer in the packaging article, wherein the oxygen scavenging layer is not adjacent to an EVOH oxygen barrier layer.

19. (Original) The method of claim 13, wherein the forming step further comprises forming the packaging article as a flexible article or a rigid article.

20. (New) The packaging article of claim 1, wherein the oxygen scavenging layer substantially inhibits delamination of the oxygen barrier layer from the layer adjacent to the oxygen scavenging layer.

21. (New) The packaging article of claim 20, comprising a five-layer ABCBD structure, wherein C represents the oxygen barrier layer comprising EVOH, B represents the oxygen scavenging layer, A represents a structural layer or a food contact layer, and D represents a food contact layer.

22. (New) The packaging article of claim 21, wherein the structural layer comprises a structural polymer or a structural material.

23. (New) The packaging article of claim 22, wherein the structural material is selected from paperboard or cardboard.

24. (New) The packaging article of claim 22, wherein the structural polymer is selected from polyethylene, low density polyethylene, very low density polyethylene, ultra-low density polyethylene, high density polyethylene, polyethylene terephthalate (PET), polyvinyl chloride, ethylene-vinyl acetate, ethylene-alkyl (meth)acrylates, ethylene-(meth)acrylic acid, or ethylene-(meth)acrylic acid ionomers.

25. (New) The packaging article of claim 24, wherein layers A and D are PET.

26. (New) The packaging article of claim 20, wherein packaging article layers include, in order starting from an outside layer to an innermost layer, (i) a moisture layer, (ii) the oxygen barrier layer comprising EVOH, (iii) the oxygen scavenging layer, and (iv) an oxygen permeable layer.

27. (New) The method of claim 13, wherein the oxygen scavenging layer substantially inhibits delamination of the oxygen barrier layer comprising EVOH from the third composition.

28. (New) A method of claim 27, wherein the packaging article comprises a 5-layer ABCBD structure wherein C represents the oxygen barrier layer comprising EVOH, B represent the oxygen scavenging layer, and A represents a structural layer or a food contact layer, and D represents a food contact layer.

29. (New) The method of claim 28, wherein the structural layer comprises a structural polymer or a structural material.

30. (New) The method of claim 29, wherein the structural material is selected from paperboard or cardboard.

31. (New) The method of claim 29, wherein the structural polymer is selected from polyethylene, low density polyethylene, very low density polyethylene, ultra-low density polyethylene, high density polyethylene, polyethylene terephthalate (PET), polyvinyl chloride, ethylene-vinyl acetate, ethylene-alkyl (meth)acrylates, ethylene-(meth)acrylic acid, or ethylene-(meth)acrylic acid ionomers.

32. (New) The method of claim 31, wherein layers A and D are PET.

33. (New) The method of claim 25, wherein the packaging article comprises layers, in order starting from an outside layer to an innermost layer, (i) a moisture layer, (ii) the oxygen barrier layer comprising EVOH, (iii) the oxygen scavenging layer, and (iv) an oxygen permeable layer.